



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
P.O. Box 8044
Madison, Wisconsin 53708-8044
TDD #: (608) 264-8777

Jim Doyle, Governor
Mary P. Burke, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 48
Comm #: 53572-2135-00-A
BRRTS #: 03-13-544495
Site Name: Mount Horeb Farmers Coop Bulk Plt-Former
Site Address: W Lincoln St, Mount Horeb, 53572
Site Manager: Dino Tsoris
Address: 3911 Fish Hatchery Rd
City, State Zip: Fitchburg, WI 53711-5367
Phone: 608-275-3299
e-mail: constantine.tsoris@wisconsin.gov
Bid Manager: Ralph N. Smith
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 261-6543
e-mail: Ralph.Smith@Wisconsin.Gov

Bid-Start Date:	March 26, 2007
Questions must be received by (See Section 2 (B)):	April 9, 2007 4:00 PM
Responses will be posted by (See Section 2 (B)):	April 20, 2007 4:00 PM
Bid-End Date and Time:	May 11, 2007 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Action Legal - Madison, 1 E. Main Street, Madison WI 53703

Phone: (608) 663-1041

Fax: (608) 663-1045

SECTION 2 – Site-Specific Bid Requirements

General Comments

This site is former bulk petroleum storage facility. The site is currently a vacant gravel and grass covered lot. The site previously contained four aboveground storage tanks (ASTs), three 12,000 gallon and one 24,000. The ASTs were removed in the early to mid-1980's.

In May 2005 a Phase II Environmental Assessment was performed to determine if a release of petroleum had occurred on site. Analytical results from soil samples collected from two soil borings determined that a release had occurred. A site subsurface investigation was conducted in February 2006. Eleven soil borings were advanced and one monitoring well was installed during the site investigation. A source area of petroleum contaminated soil has been defined in the area beneath the former aboveground storage tank location.

The geology of the site consists of unconsolidated silty clay deposits 2 – 8 feet below ground surface (BGS) underlain by limestone/dolomite bedrock. Groundwater is present at the site at approximately 54 feet BGS.

Twenty-three analytical results from soil samples collected from 14 soil borings have defined the extent of source area soil contamination. Analysis of groundwater collected from monitoring well MW-1 detected the presence of low level groundwater contamination with a detection of benzene at 6.4 ug/L.

Minimum Remedial Requirements

The purpose of the site remediation activities is to remove highly contaminated soil from the source area. See Figure 5 included with this bid document, an area of (18 X 30 X 6 feet) an estimated 150 cubic yards (assume 1.3 tons/cubic yard or about 195 tons) of contaminated soil is estimated for removal, disposal and backfill. Soil confirmation samples along the sidewalls and base (five total) will need to be collected and analyzed for gasoline range organics (GRO), petroleum volatile organic compounds (PVOCs), and polyaromatic hydrocarbons (PAHs). For purposes of this bid, bidders shall assume the excavation and disposal of 195 tons of contaminated soil. Bidders must include on page three of their bid response a per ton unit excavation and disposal cost (commodity cost only) to be used to adjust the cap in the event there is significantly more or less tonnage actually removed and disposed (contingency cost). The unit cost should include all commodity-related costs including additional soil sampling costs. Backfill and compaction costs are to be included. In the event more soil is removed than anticipated by the bid amount, no additional consultant costs will be provided. If a cost cap adjustment is necessary, at that time copies of commodity provider invoices will be required to confirm the value used for the bid contingency cost. Failure to provide a contingency unit cost will result in a non-compliant bid.

Groundwater from monitoring well MW-1 will need to be sampled and analyzed for PVOCs and PAHs for two quarterly rounds following post-excavation remedial actions. A minimum of at least 30 days shall elapse before the first post-

excavation groundwater sample event takes place. Groundwater elevation measurements are to be collected during each sampling event.

Waste disposal is included for all groundwater sampling activities.

Reporting

A remedial excavation report is expected within 60 days of the remedial excavation to report the work completed to the DNR (copy shall be provided to Commerce) for review.

Reporting after completion of the two groundwater sample events is required (copy shall be provided to Commerce) and per Comm 47.70 referenced elsewhere in this bid document.

Note that Commerce will also use the contingency costs when determining the lowest cost bid. The initial bid cost cap will be based on the Total Bid Amount for the bid with the lowest compliant overall costs (i.e., including contingency costs).

Closure costs shall include but not be limited to preparing and submitting a complete closure report and GIS Registry packet for closure consideration by the Department of Natural Resources (Copy to Commerce). The closure report must include all historical data, document all historical activities, and include the data results and documentation of the work activities completed in accordance with this bid. If closure is not thought to be available upon completion of the work scope, simply submit the letter report of results as indicated above to WDNR and Commerce.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).

5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed directly to the program. Documents received by fax will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE

(1st Page)

Department of Commerce PECFA Program

SITE NAME: Mount Horeb Farmers Coop Bulk Plt-Former

COMMERCE #: 53572-2135-00

BRRTS #: 03-13-544495

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2790 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Mount Horeb Farmers Coop Bulk Plt-Former

COMMERCE #: 53572-2135-00

BRRTS #: 03-13-544495

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Remedial Excavation (removal, confirmation samples, backfill, compaction)	\$	
2	Groundwater monitoring – 2 sample events for PVOC + PAH in MW-1 only (includes waste disposal).	\$	
3	Reporting (Excavation Report, Scope of Work, and Reporting per Comm 47.70 a/k/a Web Report)	\$	
4	PECFA Claim Preparation	\$	
5	Total Bid Amount	\$	
6	Contingency costs for groundwater monitoring – quarterly for one year for MW-1 only.	\$	
7	Contingency costs for Closure report, GIS Registry packet, waste disposal, Web Report, excludes well abandonment.)	\$	
8	Contingency cost for well abandonment.	\$	
9	Contingency costs for additional soil removal at a \$/ton rate (commodity costs only)	\$/ton rate	
10	Contingencies Cost Total	\$	

BID RESPONSE

(3rd Page)

Department of Commerce PECFA Program

SITE NAME: Mount Horeb Farmers Coop Bulk Plt-Former

COMMERCE #: 53572-2135-00

BRRTS #: 03-13-544495

Consulting Firm Name: _____

This response must address all of the site-specific requirements identified in Section 2, and shall support in detail the remedial strategy. Attach additional pages if necessary. *The Commerce Number and Consulting Firm name must be included on all additional pages.* The pages of each Bid Response must be *stapled* together. No paper clips or spiral bindings please.